

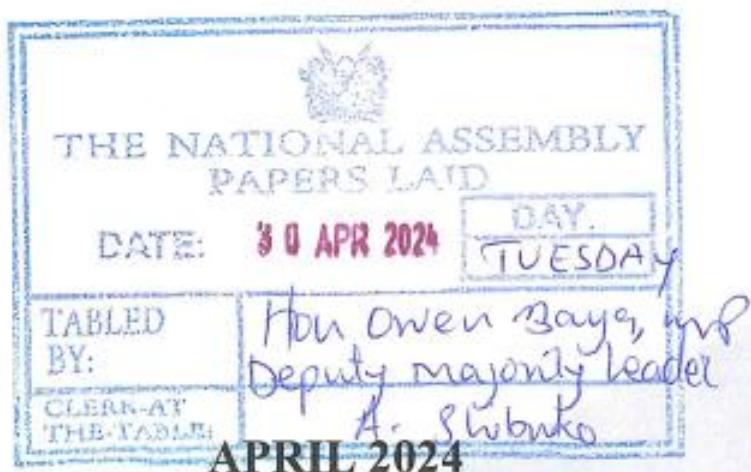


REPUBLIC OF KENYA

THE JUDICIARY



Programme Based Budget (PBB) of FY 2024/25 and the Medium-Term Budget



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PROGRAMME PERFORMANCE BASED BUDGETS (PBB)

Vote No: 1261 The Judiciary

Part A: Vision

To be an independent institution of excellence in the delivery of justice to all.

Part B: Mission

To administer justice in a fair, timely, accountable and accessible manner, uphold the rule of law, advance indigenous jurisprudence and protect the Constitution.

Part C: Performance Overview and Rationale for Funding

C.1 Mandate of the Judiciary

The core mandate of the Judiciary is resolution of disputes. It is guided by the following principles as stipulated under Article 159 of the Constitution: -

- a) Justice shall be done to all irrespective of status;
- b) Justice shall not be delayed;
- c) Alternative forms of dispute resolution including reconciliations, mediation, arbitration and traditional dispute mechanism shall be promoted;
- d) Justice shall be administered without undue regard to procedural technicalities; and
- e) the purpose and principles of this Constitution shall be protected and promoted.

C.2 Expenditure Trends (2020/21 – 2022/23)

The Judiciary budget allocations in FY 2020/21 was KShs 17.13 billion which increased by 8% to KShs 18.6 billion in FY 2021/22 and rose by 14% to KShs 21.13 billion in FY 2022/23. The overall absorption rate was at 94% in FY 2020/21 and FY 2021/22 but rose to 95% in FY 2022/23.

a. Analysis of Recurrent Expenditure

The recurrent budget allocation increased by 10% in FY 2021/22 and by 20% in FY 2022/23. The share of compensation to employees over the total recurrent budget reduced from 65% in FY 2020/21, 63% in FY 2021/22 and returned back to 65% in the FY 2022/23. The share of other recurrent budget was 35% in FY 2020/21 and increased to 37% in FY 2021/22 and reduced to 35% in FY 2022/23. A breakdown of the recurrent expenditure by economic classification is shown in the table below;

Table 1: Analysis by Category of Expenditure: Recurrent (KShs. Million)

Vote and Details	Economic Classification	Approved Budget Allocation			Actual Expenditure		
		2020/21	2021/22	2022/23	2020/21	2021/22	2022/23
R9011	Gross	14,575	15,968	19,232	14,377	15,639	18,653
	AIA	-	-	-	-	-	-
	NET	14,575	15,968	19,232	14,377	15,639	18,653
	Compensation to Employees	9,402	10,081	12,438	9,398	10,049	12,356
	Transfers	-	-	-	-	-	-
	Other Recurrent	5,173	5,887	6,795	4,979	5,590	6,296
	of Which...						
	Utilities	140	167	154	131	122	148
	Rent	76	87	99	69	85	93
	Insurance	1,292	1,320	1,520	1,291	1,318	1,520
	Subsidies	-	-	-	-	-	-
	Gratuity	-	20	17	-	16	17
	Contracted guards and Cleaning Services	434	432	385	425	387	367
	Other Recurrent	3,231	3,861	4,620	3,063	3,663	4,152

There were no transfers in the year because all tribunals and NCAJ were classified as spending units under the Judiciary.

b. Analysis of Development Expenditure

The Judiciary's development budget constituted GOK and World Bank Funding. The development budget increased by 1% from KShs 2.56 billion in FY 2020/21 to KShs 2.59 billion in FY 2021/22 then decreased by 27% in FY 2022/23 to KShs 1.90 billion. The absorption rate attained under the development vote averaged at 71% with 65% in FY 2020/21, 70% in FY 2021/22 and 78% in FY 2022/23. The analysis of the development expenditure by category is provided in Table below

Table 2 : Analysis by Category of Expenditure: Development (KSh Million)

Vote & Vote Details	Description	Approved Budget			Actual Expenditure		
		2020/21	2021/22	2022/23	2020/21	2021/22	2022/23
9011	Gross	2,558	2,592	1,900	1,656	1,809	1,478
	GOK	292	1,595	1,900	294	995	1,478
	Loans	2,266	997	0	1,362	814	-
	Grants	-	-		-	-	
	Local AIA	-	-		-	-	
Totals		2,558	2,592	1,900	1,656	1,809	1,478

Figure 1 shows the budgetary absorption rate trends for the period 2020/21 to 2022/23. The absorption for recurrent budget has averaged at 98% for the period under review. While development has been at an average of 71%. This can be partly attributed to termination of some contracts and repackaging of the same, which led to slow implementation of projects

Absorption rates FY2020/2021 - FY2022/2023

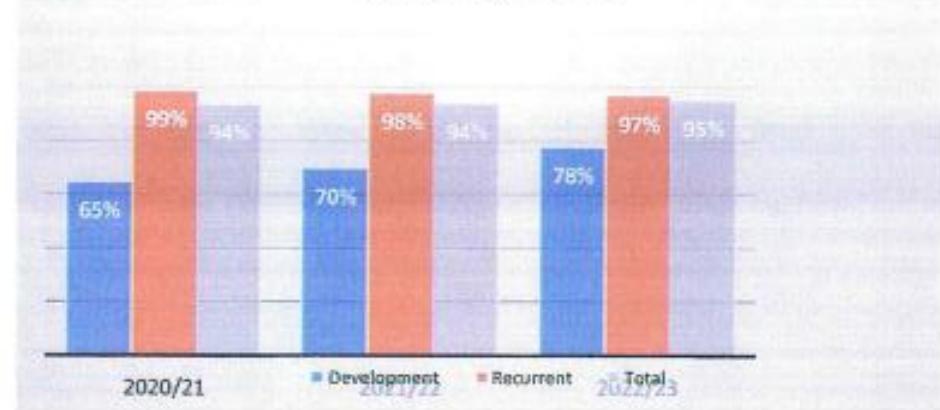


Figure 1: Trends in Budget Absorption

c. Analysis of Programme Expenditure

Judiciary's programme is Dispensation of Justice and has two sub-programmes: Access to Justice; and General Administration, Planning and Support services. The sub-program on Access to Justice which covers the core mandate of the Judiciary received a larger share of the budget at 70% in the three years under review. This is shown below

Table 3 : Analysis by Category of Expenditure: Programmes (KShs Million)

	Approved Budget			Actual Expenditure		
	2020/21	2021/22	2022/23	2020/21	2021/22	2022/23
Programme: Dispensation of Justice	17,133	18,560	21,132	16,033	17,449	20,131
Sub-Prog. I: Access to Justice	11,993	12,992	14,793	11,223	12,214	14,092
Sub-Prog. II: Administration and Support Services	5,140	5,568	6,340	4,810	5,235	6,039
Total Vote	17,133	18,560	21,132	16,033	17,449	20,131

d. Analysis of Programme Expenditure by Economic Classification

Allocation for Compensation to Employees has been on an upward trend from 9.4 billion in FY 2020/21 to KShs 10.0 billion in FY 2021/22 and KShs 12.4 billion in FY 2022/23. As a share of the total recurrent budget, this represented 65%, 63% and 65% for FY 2020/21, FY 2021/22 and FY 2022/23 respectively. The approved budget on use of goods and services was 26% in FY 2020/21, increased to 28% FY 2021/22 and 29% in FY 2022/23. On the other hand, the proportion of Other Recurrent to total allocation remained consistent over the three years as shown in table 4 below

Table 4: Analysis by Category of Expenditure: Economic Classification (KShs Millions)

Economic Classification	Approved Budget			Actual Expenditure		
	2020/21	2021/22	2022/23	2020/21	2021/22	2022/23
Programme 1: Dispensation of Justice						
Current Expenditure						
Compensation to Employees	9,402	10,081	12,438	9,398	10,049	12,356
Use of goods & Services	4,388	5,157	6,032	4,267	4,911	5,788
Grants and Other Transfers	-	-	-	-	-	-
Other Recurrent	785	730	763	712	680	508
Capital Expenditure						
Acquisition of Non-Financial Assets	2,558	2,592	1,900	1,656	1,809	1,478
Capital Grants to Govt. Agencies	-	-	-	-	-	-
Other Development	-	-	-	-	-	-
Total Program	17,133	18,560	21,132	16,033	17,449	20,131
Total Vote 9011	17,133	18,560	21,132	16,033	17,449	20,131

Analysis of Capital Projects by Programme

The Judiciary has been implementing capital projects including constructions, rehabilitations and refurbishments of court buildings. Some of the GOK funded projects have stalled at different stages of implementation due to budget cuts and/or lack of allocation over the review period.

Table 5 : Analysis of Performance of Capital Projects

S. No.	Project Code and Title	Estimated cost of the project		Timeline		FY 2020/2021		FY 2021/2022		FY 2022/23		Remaining
		Total Est. Cost of project/C contract Value	Foreign GOK	Start Date	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2021	Approved foreign budget	Cumulative expenditure as at 30th June 2022	Approved Gok budget	Cumulative expenditure as at 30th June 2023	
1	Refurbishment of Supreme court	21.54	KShs.s. KShs.s.	KShs.s. M	KShs.s. M	KShs.s. M	(%) (%)	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	(%) (%)
2	Refurbishment of Kiambu law courts	7.51		7.51	5/31/2017	8/1/2018	0	0	100%	0	0	0
3	Prefabrication of Garsen Law Courts	99.96		99.96	1/23/2013	5/31/2016	0	0	100%	1.8	0.63	100%
4	Refurbishment of Siaya Law Courts	9.72		9.72	3/11/2015	3/5/2016	0	0	100%	0	0	0
5	Construction of Iken Law Courts	10.66		10.66	5/19/2015	3/11/2020	0	0	100%	0	2.9	100%

S. No	Estimated cost of the project			Timeline		FY 2020/2021			FY 2021/2022			FY 2022/2023			Remarks	
	Project Code and Title	Total Cost of project/Contract Value	Foreign	GOK	Start Date	Approved foreign budget	Cumulative expenditure	Approved Gok budget	Cumulative expenditure as at 30th June 2021	Approved Gok budget	Cumulative expenditure as at 30th June 2022	Approved Gok budget	Cumulative expenditure as at 30th June 2023			
6	Construction of Embu Law Courts	KShs.s.	KShs.s.	KShs.s.	221	1/15/2015	3/18/2022	0	0	98%	63.6	45	100%	22	20.9	100% Complie
7	Prefabrication of Bonet Law Courts	81.66			1/15/2013	6/30/2021	0	0	98%	14.9	0	98%	5	4.9	95% Terminated. Repacked works to be advertised	
8	Prefabrication of Runyeginges Law Courts	99.96			1/23/2013	6/30/2021	0	0	92%	0	0	95%			Partially handed over	
9	Refurbishment of Nairobi Court Of Appeal	18.48			18.48	4/17/2014	6/30/2021	0	0	93%	4.2	0	100%			Complie
10	Construction of Mendi Law Courts	128.6			128.6	9/19/2022	3/4/2025	0	0	94%	16.6	6.62	94%	0	0	Phase 1- Complie, Phase 11 ongoing
11	Construction of Punt Violatri Law Courts	46.53				12/2/2015	28/11/2022	0	0	93%	13.5	11.4	93%	8.2	7.4	100% Complie

S No	Estimated cost of the project			Timeline		FY 2020/2021		FY 2021/2022		FY 2022/2023		Remaining risks	
	Total Cost of project	Est of contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Cumulative expenditure as at 30th June 2022	Approved foreign budget	Cumulative expenditure as at 30th June 2023	
12	KShs.s.	KShs.s.	KShs.s.	KShs.s.	35.53	4/2/2023	17/14/2023	0	0	90%	9.8	KShs.s. M	KShs.s. (%)
13	Construction of Eldoret Rayine Law Courts	38.1			38.1	2/23/2015	2/28/2020	2.1	2.1	100%	7.4	0	100%
14	Refurbishment of Eldoret Law Courts	81.66			81.66	1/15/2013	6/30/2021	0	0	90%	7.8	0	90%
15	Prefabrication of Town Law Courts	99.96			99.96	1/23/2013	2/28/2020	0	0	90%	0	0	90%
16	Construction of Mara High Court	637.5			637.5	7/1/2020	6/30/2024	3.2	2.5	0%	60	55	10%
17	Construction of Eldoret High Court	560.8			560.8	7/1/2020	11/30/2023	2.2	2.2	0%	90	72	12%
											80	77.3	30%
													Ongoing

S. No.	Estimated cost of the project		Timeline		FY 2020/2021		FY 2021/2022		FY 2022/2023		Remarks
	Total Est. Cost of project/C. contract Value	Est. Cost of project/C. contract Value	Foreign GOK	Start Date	Approved foreign budget	Approved GOK budget	Cumulative expenditure as at 30th June 2021	Approved foreign budget	Cumulative expenditure as at 30th June 2022	Approved GOK budget	
18	KShs.s.	KShs.s.	KShs.s.	32.69	9/3/2015	1/2/2019	3.4	95%	KShs.s. M	KShs.s. M	KShs.s. M (%)
19	Construction of Busali Law Courts	86.5	86.5	10/25/2015	8/23/2023	0	0	83%	15.9	0	0% Complete
20	Prefabrication of Marimani Law Courts	52.6	52.6	5/19/2023	1/1/2024	0	0	40%	5	0	80% Complete
21	Refurbishment of Machakos Law Courts	34.08	34.08	5/18/2017	6/30/2021	0	0	67%	13.8	1.6	100% Complete
22	Construction of Mama bat Judges Reside nce	10.89	10.89	2/5/2017	6/30/2023	0	0	75%	10	0	75% Pending
23	Refurbishment of Wangari Law Courts	29.98	29.98	2/2/2022	21/01/2024	0	0	70%	9.2	0	70% Pending

S. No.	Estimated cost of the project		Timeline		FY 2020/2021		FY 2021/2022		FY 2022/2023		Remarks						
	Total Cost of project/C contract Value	Ext of Foreign	GOK	Start Date	Approved foreign budget	Cumulative expenditure as at 30th June 2021	Com platio n status as at 30th June 2021	Approved foreign budget	Cumulative expenditure as at 30th June 2022	App rove d faci gn bud get	Cumulat ive expenditure as at 30th June 2023	Appro ve d Gok budget	App rove d Gok budget	Com platio n status as at 30th June 2023			
24	KShs.s.	KShs.s.	KShs.s.	62.09	62.09	5/19/2015	6/30/2023	0	0	79%	22.7	0	79%	5	0	19%	Phase 11 to re adminis tered
25	Refurbishmen t of Muran ga Law Courts																
26	Refurbishmen t of Karuri Law Courts	6.91		6.91	4/5/2017	2/28/2020	0	0	63%	4.3	3.3	100%					complet e
27	Refurbishmen t of Makad ar Law Courts	9.9		9.9	7/23/2017	6/23/2020	0	0	60%	5	4.8	100%					compl ete
28	Construction of Gilbgo Law Courts	148.33		148.33	3/15/2017		8.2	8.2	63%	20	0	65%	0	0	0	0	Phase 11 await ing advertiser s
29	Construction of Kandar a Law Courts	130.9		130.9	4/5/2017	6/30/2024	16.7	16.7	53%	30.6	0	56%	0	0	0	0	Phase 11 contr ac award ed
																	Phase 11 negotiat ion g

Project No.	Project Code and Title	Estimated cost of the project			Timeline			FY 2020/2021			FY 2021/2022			FY 2022/2023			Remaining risks
		Total Est. Cost of project/C contract Value	Foreign	GOK	Start Date	Approved foreign budget	Approved Gok budget	Cumulative expenditure as at 30th June 2021	Approved Gok budget	Cumulative expenditure as at 30th June 2022	Approved Gok budget	Approve d foreign budget	Cumulative expenditure as at 30th June 2023	Approved Gok budget	Completion status as at 30th June 2023		
30	Construction of Honabay Law Courts	KShs.4.	KShs.4.	KShs.4.	367.31	3/13/2017	6/30/2023	22.8	22.8	3.2%	15	0	32%	KShs.4. M	KShs.4. M	KShs.4. M	ongoing
31	Construction of Marsabit Law Courts	370.22		370.22	3/11/2017	6/30/2023	0	0	4.5%	34.3	46	45%	0	0	0	0	Phase 11 awaiting rendering
32	Construction of Amagoro Law Courts	137.99		137.99	3/13/2017			20.7	20.7	24%	25	0	24%	0	0	0	Phase 11 awaiting rendering by end of Sept.2023
33	Construction of Kabarnet Law Courts	366.8		366.8	3/17/2017	6/30/2023	25	25	18%	37.3	22	25%	10	5.6	43%	Phase 11 awaiting rendering by end of Sept.2023	
34	Construction of Lodwar High Court	814.89		814.89	30/9/2013	20/6/2015	0	0	15%	0	0	15%				Phase 11 awaiting rendering by end of Sept.2023	

S. No.	Estimated cost of the project		Timeline		FY 2020/2021		FY 2021/2022		FY 2022/2023		Remarks
	Total Cost of project/C contract Value	East of Foreign	GOK	Start Date	Approved foreign budget	Cumulative expenditure as at 30th June 2021	Approved GOK budget	Cumulative expenditure as at 30th June 2022	Approved GOK budget	Cumulative expenditure as at 30th June 2023	
35	Construction of Bonet Law Courts	KShs.s.	KShs.s.	6K8.8	10/5/2013	1/4/2 015	0	0	10%	27.9	Phase 11 awaiting rendering by end of Sept 2023
36	Construction of Habes Wein Law Courts	78			4/06/2023	4/06/2025	0	0	10%	2	0
37	Refurbishment of Ferodo's house	157.4		1/57.4	4/25/2019	6/30/2022	0	0	30%	43.6	0
38	Construction of Toilets in Barich o, Migori, Webuye, Kangundo, Mwingi, Kirimau, Kwale and Nyeri	19.2		19.2	Vario us	Vario us	0	0	0%	19.2	100% Compl ended

S. No.	Estimated cost of the project			Timeline		FY 2020/2021			FY 2021/2022			FY 2022/2023			Remarks
	Project Code and Title	Total Est. Cost of project/Contract Value	Foreign	GOK	Start Date	Approved comp. ratio n. Date	Approved foreign budget	Cumulative expenditure as at 30th June 2021	Approved Gok budget	Cumulative expenditure as at 30th June 2022	Approved Gok budget	Cumulative expenditure as at 30th June 2023	Completed status as at 30th June 2023	Completion status as at 30th June 2023	
69	Judicia ry Auton omy	KShs.s.	KShs.s.	KShs.s.	KShs.s.	KShs.s.	KShs.s.	KShs.s. (%)	KShs.s.	KShs.s. (%)	KShs.s.	KShs.s. (%)	Ongoing	Ongoing	
79	Refurbishmen t and Compl etion of PIP projects	992.06	0	992.06	0	0	0	174.8	164.2	75%	0	620.0	560.4	75%	40
80	Compl etion of PIP Project s	250	250	Vario us	Vario us										11.23
81	Court Award s, Legal dues/fe es, Arbitra tion and Conve ration	1200	1200												55%
82	Sision AIE Project s- Maritime Maintenance	197	197	Vario us	Vario us										\$1%
82	Prefabr ication of Offshore Law Court	81	81												100%

S. No	Estimated cost of the project			Timeline		FY 2020/2021		FY 2021/2022		FY 2022/23		Remaining risks	
	Total Est. Cost of project/C contract Value	Foreign	GOK	Start Date	Expected completion Date	Approved foreign budget	Cumulative GOK budget	Compliance status	Cumulative expenditure as at 30th June 2021	Approved GOK budget	Compliance status as at 30th June 2022	Approved GOK budget	
86	Refurbishment of Milimani Law Courts	KShs.s.	KShs.s.	17.07	17.07	9/7/2022	5/12/2023	Approved	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	Completed as at 30th June 2022
87	Supply of generators & solar	104		104	Various	Various		Approved foreign budget	(%)	KShs.s. M	(%)	KShs.s. M	Approved as at 30th June 2022
88	Construction of Court of Appeal Complex	2300		2300				Approved	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	Completed as at 30th June 2022
89	Construction of Meru law Courts	637.5		637.5	7/1/2021	6/3/2023		Approved	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	Completed as at 30th June 2022
90	Construction of Kisii High Courts	1100		1100				Approved	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	Completed as at 30th June 2022
91	Construction of Mavoko Law Courts	59.7		59.7	3/12/2022	12/6/2023		Approved	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	Completed as at 30th June 2022
92	Construction of Judiciary Training	3000		3000				Approved	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	Completed as at 30th June 2022

S. No.	Estimated cost of the project		Timeline		FY 2020/2021		FY 2021/2022		FY 2022/23		Remarks
	Total Est. Cost of project/Contract Value	Foreign GOK	Start Date	Approved foreign budget	Cumulative expenditure as at 30th June 2021	Approved GOK budget	Cumulative expenditure as at 30th June 2022	Approved GOK budget	Cumulative expenditure as at 30th June 2023	Completions status as at 30th June 2023	
93	KShs.s.	KShs.s.	KShs.s.	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	KShs.s. M	100%	Completed
93	Construction of boundary wall at Marab Judges residence	8.4	9/3/2022	5/2/2023	0	0	0	0	0	100%	8.4
	TOTAL	14,193.76	7,073.51	6,970.39	775.00	1,160.10	858.80	863.18	1,768.40	1,446.05	1,390.00
											1,478.76

C.3 Major Achievements based on the planned outputs/services for FY 2020/21- 2022/23 Budget

The specific targets, indicators and actual achievements are summarized in Table 7.

Table 6: Analysis of Programme Targets and Actual Targets for FY 2020/21- 2022/23

Output	Key Performance Indicator	Target			Achieved			Remarks
		2020/21	2021/2	2022/2	2020/21	2021/2	2022/2	
Programme: Dispeasation of Justice								
Judicial Services	Sub-Programme 1: Access to Justice							
	Case clearance rate - %	100	110	103	83	94	99	
	Reduction of case backlog aged 3 years and above - %	-	10	15	-	16	27.5	
	Maximum No. of Days taken to resolve election cases	-	180	180	-	N/A	180	

Output	Key Performance Indicator	Target			Achieved			Remarks
		2020/21	2021/22	2022/23	2020/21	2021/22	2022/23	
No. of COA stations holding Circuits		4	4	4	4	2	4	
No. of High Courts with Circuits		7	7	12	7	12	18	
No. of ELC stations with Circuits		3	1	1	3	2	3	
No. of ELRC stations with Circuits		4	4	4	4	3	4	
No. of Tribunals with circuits		3	3	5	3	6	5	
No. of mobile courts held		60	60	60	60	59	57	
No. of Supreme Court sub registries established		-	2	2	-	2	0	Mombasa and Kisumu
No. of mediation registries established		24	10	15	5	12	17	
Mediation settlement rate - %		-	65	65	-	51	51	
No. of new mediators accredited		150	100	200	164	243	0	Board paper to recruit 100 mediators developed and submitted to JSC for approval
No. of mediators trained		-	150	1056	-	600	1400	
No. of new COA stations established & operationalised		1		2	0	0	2	Eldoret and Nakuru
Judicial Services	No. of new High Courts Stations established & operationalised						0	Establishment and operationalization of Kapsabet High Court Station, vide Gazette Notice No. 656, 27/1/23
	No. of new ELRC stations established & operationalised	7	2	2	0	2	2	Kakamega elevated to a fully fledged

Output	Key Performance Indicator	Target			Achieved			Remarks
		2020/21 1	2021/22 2	2022/23 3	2020/21 1	2021/22 2	2022/23 3	
No. of ELC stations established & operationalised								Court station. Judge moved from ELRC Bungoma to Kakamega.
No. of new Magistrates' courts established & operationalised	9	2	2	0	11	1	3	Voi ELC
No. of new Kadhis' courts stations established & operationalised	15	3	12	22	0			Kenol, Rumuruti, Ol Kalou, Tinceret, Kabiyet, and Madiany Law Courts have been operationalized
No. of specialized courts established & operationalised	0	0	0	0	0	0	4	4 SGBV courts in Shanza, Siaya, Kisumu, Kibera.
No. of new Mobile Courts established	4	4	3	0	2	0	2	Thika High Court Gazette of Iten High Court - Gazette Notice No. 657, 27/1/23
No. of new HC sub-registries established	1	1	2	4	0			
No. of new ELC sub-registries established	3	2	1	4	0	1	1	Nyamira
No. of ELC sub-registries established	2	0	2	4	0	2	2	Lamu and Kabarnet

Output	Key Performance Indicator	Target			Achieved			Remarks
		2020/2 1	2021/2 2	2022/2 3	2020/2 1	2021/2 2	2022/2 3	
No. of tribunals sub-registries established	-	0	4	-	8	8	PPDT Kakamega, Kisumu, Meru, Nairobi 1 & 2, Nyeri, Eldoret and Mombasa	-
No. of new small claims courts established	-	10	8	-	11	1	Meru	
No. of HC Judges and PJs Hand books, and practice directions developed	-	2	1	-	1	0		Applied in last elections period
No. of EDR Practice Directions developed	-	4	1	-	3	0		Applied in last elections period
No. of Small Claims Court Practice Directions developed	-	0	0	-	0	0		
No. of EDR Bench book, guidelines, balancing of scales & compendium developed	-	4	2	-	2	4		Applied in last elections period
No. of pro-se litigants' manuals for courts developed	-	0	0	-	0	0		
Reviewed HC registry manual	-	0	1	-	0	0		
No. of HC guidelines on handling children cases	-	0	0	-	0	0		
Simplified Court Processes	Reviewed ELC Registry manual	-	0	1	-	0	1	
	ELRC procedure rules reviewed	-	0	1	-	0	1	
	Reviewed ELRC Registry manual	-	0	1	-	0	1	
	Mobile courts policy developed	-	0	1	-	0	1	
	Small Claims court Registry Manual developed	-	0	1	-	0	0	
Court Facilities	No. New Supreme Court Building initiated/ ongoing	-	-	-	-	-		Initiated tendering for construction of Court of Appeal
	No. New COA ongoing Building	1	1	1	0	0	0	

Output	Key Performance Indicator	Target			Achieved			Remarks
		2020/21	2021/22	2022/23	2020/21	2021/22	2022/23	
	No. of ongoing High Courts buildings completed (GOK)	9	8	5	6	8	2	Bomet Prefab completed and Pending Bill for Embu paid. Target-Muranga and Marsabit
	No. of ongoing Magistrates' courts buildings completed (GOK)	13	16	2	0	3	1	Port Victoria completed. Target Mavoko
	No. New HC Buildings initiated	3	3	-	0	2	-	Kericho and Lamu
	No. of residential units for Judge's construction initiated.			2	1	1	0	1 (Marsabit Judge's residence ongoing)
	No. of Courts of Appeal buildings rehabilitated/ Refurbished	1	1	1	1	1	1	Nyeri
	No. of High courts buildings rehabilitated/ Refurbished	3	2	9	1	7	5	1 (Milimani Law Courts), Kericho, Makueni, Kajiado, Migori
	No. of Magistrates' courts buildings rehabilitated	13	12	20	11	19	10	Kilungu, Mutomo, Kehancha, Nkubu, Tigania, Kyuso, Kibera, Kilifi, Kakuma, Ndiriwa
	No. of Tribunals buildings rehabilitated/ Refurbished	4			1	1	1	Refurbishment of Tribunal Secretariat

Output Indicator	Key Performance			Achieved			Remarks
	2020/21	2021/22	2022/23	2020/21	2021/22	2022/23	
No. Stations with Solar System / Generators	34	-	10	0	-	5	Solar system installed in Garsen, Shanzu, Maseno, Winam and Tononoka Children's Court and Works ongoing at Tawa, Mwingi, Kyuso, Kilgoris and Sirisia Law Courts.
Sub- Programme 2 : General Administration, Planning and Support Services							
Number of vehicles procured	20	6	71	23	8	27	Delivery was time barred
Number of publicity products disseminated	20	25	30	20	25	30	Performance Report for FY 2021/22 launched on 30th June 2023
Administrations Services	1	1	1	1	1	1	
Status of the Judiciary Report Published	1	1	1	1	1	1	These are awaiting planned legal review under JF
Number of procedures manuals reviewed (Finance, Audit & Procurement manuals)	0	0	2	0	0	0	
No. of Annual Caseload Statistics Reports Produced	1	1	1	1	1	1	

Output	Key Performance Indicator	Target				Achieved			Remarks
		2020/21	2021/22	2022/23	2020/21	2021/22	2022/23		
ICT Services	No. Court stations with e-filing Courts with digitized records - %	30	30	40	21	4	24		
	No. of courtrooms with transcription solution	-	-	40	-		50		
	No. of court stations with Video conferencing kit	-	-	36	-	79	55	14 targeted for FY 2023/24 2000) licences for virtual courts	

C.4 Constraints and challenges in budget implementation and how they will be addressed

Emerging Issues

The Judiciary is alive to the fact that its ability to achieve the targets set out in this report may be affected by other issues that may or may not be directly linked to its core activities. This part discusses some emerging issues that need to be taken into account in the process of planning for the next MTEF-period.

i. Increased use Small Claims Courts

The roll out of Small Claims Courts across the country has been positively received by Kenyans who view the expeditious disposal of their cases as a critical component of access to justice. This has seen many litigants prefer to have their cases referred to these courts for a faster resolution turnaround time.

There is need for increased resource allocation to facilitate the establishment of these courts in every sub-county and employ adjudicators to preside over the small claims court as envisaged under Small Claims Court Act. Currently, magistrates have been designated to preside of these courts thereby straining the limited number of magistrates available to hear and determine cases in the magistrates' courts.

The small claim court hear and determine cases within 60 days of filing. However, appeals are not determined as expeditiously. Therefore, increased resource allocation will also equip the High Court to expeditiously deal with appeals from these courts so that the strict timelines set out in the Act is not lost when the matter goes on appeal.

ii) Sustaining Court annexed mediation

The roll out of court annexed mediation has undoubtedly been one of the key success stories of the Judiciary in the past 5 years. Under the program, suitable court cases are referred to accredited mediators to assist the parties reach an amicable settlement that suits their needs.

These mediators are currently being given an honorarium as pay for their services. An emerging issue of concern is how this program can be sustained going into the future considering that many cases are being referred to mediation. The amount being paid to the

mediators is minimal however there is need to explore ways of sustaining the program for posterity.

iii) *Challenges to the optimal implementation of the Judiciary Fund.*

The Judiciary Fund was operationalized in July last year. Its implementation has however revealed that there is need for legal reforms to address the obstacles that are hindering the effective realization of its purpose as envisaged in the constitution.

iv) *New Legal Frontiers:* Globalization has brought forth new legal dimensions in the legal, ethics and governance, socio-economic rights, telecommunications environment such as cyber-crimes, international organised crime, lesbianism, gay, transgender, bisexuals and queer rights, climate change, artificial intelligence, among others. The Judiciary needs to invest in appropriate infrastructure, training and research that is geared towards growing indigenous jurisprudence and strengthening institutional capacity to meet the emerging needs. The Judiciary also needs to position itself to take advantage of artificial intelligence to develop an online dispute resolution mechanism. This will require a commensurate budgetary allocation to the Judiciary.

v. *Alternative Justice System:* Alternative Justice System aims at providing different forms of dispute resolution mechanisms including traditional approaches as long as they do not contravene the Constitution. AJS is expected to be affordable with minimal formalities, expeditious, less adversarial and the remedies are diverse. The Judiciary is promoting AJS as means of decongesting the courts and reducing case backlog and will therefore require funding to mainstream AJS in courts and, sensitise and build capacity in communities.

Challenges

- i. *Insufficient Funding:* The Judiciary has been receiving less than half of its budgetary requirements. This shortfall has grossly affected the implementation of critical programs such as
 - a. the construction of courts, facilitation of benches and service weeks, operationalization of Small Claims Courts, mainstreaming of Court Annexed Mediation and Alternative Justice System, and sustenance of the *pro bono* scheme.

- b. The Judiciary is also unable to recruit an adequate number of Judges, Judicial officers and staff to effectively handle the workload.
- c. Out of twenty-two (22) court stations gazetted during the last MTEF period, only six (6) have been operationalised to-date.
- d. The NCAJ is funded as a spending unit under the Judiciary and therefore, only the secretariat operations and CUCs are provided for. This is in-spite of the fact that NCAJ's core mandate is focused on the whole justice chain and is carried out through working committees which comprise membership from the member agencies.

ii. *Lack of uniformity in the pace at which the justice sector players are implementing digitization.*

There is no doubt that Judiciary has made big strides in the recent past in the implementation of its digital strategy and leveraging on technology to dispense justice. The ultimate goal of enhancing access to justice through ICT may be hindered if the pace at which the key players in the justice sectors is not improved.

Litigants are being left behind due to challenges in connectivity, source of power and access to ICT enabled gadgets like smart phones. Some key players are yet to put policies in place to enhance the uptake of ICT as an enabler of justice; and in some cases, the ICT platforms being deployed are not harmonized with those of the other stakeholders.

iii. *Legal Gaps:*

- a) Pursuant to the provisions of Article 169(1)(d) of the Constitution of Kenya 2010, the tribunal comprise of the subordinate courts. The operations of the tribunals were majorly anchored under the various ministries. However, the operations of the tribunal are currently within the judiciary. Unfortunately, there is lack of a legal framework anchoring these operations within the Judiciary. In the circumstances, the enactment of the Tribunal Bill needs to be fast tracked in Parliament.
- b) With the COVID 19 pandemic, the judiciary had no option but to embrace virtual courts. In essence, the rules and procedures applicable in physical courts also apply in virtual courts with necessary modifications. In order to govern the virtual courts, practice directions were

issued. However, these practice directions are not anchored in substantive law and therefore it is a necessity to create legal framework to govern virtual courts.

iv. Psycho social support for Judiciary

The Judiciary prides itself in the roll out of specialized courts and in particular the Sexual Gender Based Violence (SGBV) and Children courts. The presiding officers and staff are trained and sensitized to hear and determine matters through trauma and gender sensitive lenses ensuring to create safe spaces for the victims during the hearings. Despite these great strides, we must be alive to the mental trauma absorbed by the presiding officers and staff in the quest of hearing and determining these cases thereby impacting negatively on their mental health. In the circumstances, it is prudent to allocate funds for purposes of psycho social support with a view of ensuring that the purpose of these specialized courts is achieved.

v. Decentralization of tribunals

Currently all tribunal are located in Nairobi with occasional circuits to the outer regions. This hampers access to justice to litigants outside Nairobi Jurisdiction. There is need for the tribunal to be decentralized in strategic regions with a view of enhancing access to justice.

RECOMMENDATIONS

1. Resources:

- a. Continual implementation of the presidential proclamation to scale up the Judiciary's annual budget ceiling by Kshs. 3 billion for five years as from the FY 2022/2023.
- b. Increase resource allocation to the Judiciary to facilitate recruitment of optimal human resource, expansion and completion of court infrastructure, digitisation and automation of court processes and registries, mainstreaming Court Annexed Mediation and roll-out of Small Claims Courts and decentralization of Tribunals.

2. Automation: Implement a more focused but comprehensive approach to automation in the Judiciary, which should include: anchoring use of ICT in the dispensation of justice in legislation; improved ICT infrastructure, enabling policies and enhanced internet services. This should be complemented by an all-inclusive stakeholder engagement to promote efficiency.

3. ***Tribunal Bill:*** There is need to fast track the enactment of the Tribunal Bill to facilitate the transitioning and operationalisation of the Tribunals in the Judiciary, and the speedy resolution of the pending litigation at the Court of Appeal.

4. ***Tribunals should be decentralized from Nairobi to enhance access to justice across the country.***
5. Allocate resources specifically to hire case managers to handle pre-trial procedures and preliminary inquiries in Children cases. This will ensure that the zero-adjunction policy is achieved, all matters listed for hearing proceed and in the long run reduce case backlog.
6. The digital platforms being deployed by the Judiciary, prisons department, and ODPP should be harmonized to ensure seamless exchange and integration of information relating to criminal cases.
7. Partner with stakeholders like county governments to establish ICT centers/hubs where members of public are enabled to participate in virtual courts and e-filing.

Part D: Strategic Objectives

Programme: The Judiciary's mandate is implemented through one Programme; "**Dispensation of Justice**".

Strategic Objective

The overriding objective for the Judiciary is to provide equitable access to and expeditious delivery of justice. Under the Judiciary Strategic Plan (2019 – 2023), the strategic objectives are phrased as key result areas as below. These are to:

- i. Enhance Access to Justice
- ii. Expedite Delivery of Justice
- iii. Grow Jurisprudence and enhance Knowledge Management
- iv. Improve Governance and Transformative Leadership
- v. Improve Human Capital Management and Organizational Development
- vi. Modernize Registry Operations for Operational Efficiency
- vii. Enhance Public Confidence, Awareness and Image of Judiciary
- viii. Strengthen Resource Mobilization, Utilization and Stakeholder Engagement

The Judiciary's activities under each of these key result areas contribute significantly to the achievement of the national development agenda, including the Vision 2030, Bottom-up Economic Transformation Agenda (BETA), and the Medium-Term Plan IV (2023-2027).

Part E: Summary of the Programme Outputs, Performance Indicators and Targets for 2024/25 – 2026/27

Output	Key Performance Indicator	Target	Actual Achievement	Target (Baseline)	Target	Remarks
		2022/23	2022/23	2023/24	2024/25	2026/27
Programme: Dispensation of Justice						
Sub-Programme 1: Access to Justice						
Judicial Services	Case clearance rate - %	110	99	103	110	110
	Reduction of case backlog aged 3 years and above - %	10	2.75	10	15	15
	Maximum No. of Days taken to resolve election cases	180	180	180	180	180
	No. of Circuits Held by Supreme court	0	0	1	2	2
	No. of COA stations holding Circuits	4	4	4	6	6
	No. of High Courts with Circuits	7	18 ¹	14	14 ²	10
	No. of ELC stations with Circuits	1	3 ³	3	3	3
	No. of ELRC stations with Circuits	4	4	7 ⁴	7	7

¹ High Court circuit courts achieved in Kapsabet, Kapenguria, Nyamira, Marsabit, Lodwar, Kericho, Iten, Miltimani civil, Meru Kilgoris, Muranga, Kabarnet, Voi, Nyeri, Garsen, Kitgumis Rware, and Eldama Ravine,

² circuit targeted in the baseline courts in the baseline year in Kilgoris, , Lodwar, Nyeri, Garsen, Kwale, Eldama Ravine, Lamu Miltimani civil, Nyahururu, Nyandarua Mandera, Wajir, Maralal, Kahawa

³ ELC Circuits achieved Garissa Vihiga Chuka
⁴ ELRC Circuits baseline targeted meru, Machakos, Kitale Kericho, Bungoma Malindi, Kisii, Nyamira

Output	Key Performance Indicator	Target		Actual Achievement	Target (Baseline)	Target		Remarks
		2022/23	2022/23			2023/24	2024/25	
	No. of Tribunals with circuits	3	5	5	5	8	8	8
	No. of mobile courts in operation	60	57	60	60	60	60	60
	No. of Supreme Court sub registries established	2	0	0	1	1	1	1
	No. of mediation registries established	10	17	15	10	10	10	10
	Mediation settlement rate - %	65	51	55	50	50	50	50
	No. of new mediators accredited ⁵	100	221	200	200	200	200	200
	No. of mediators trained	150	1400	1100	1200	1200	1200	1200
Judicial Services	No. of new High Courts Stations established & operationalised	0	0	3 ⁶	1	1	1	1
	No. of new ELRC stations established & operationalised	2	2	2 ⁷	2	2	2	2
	No. of ELC stations established & operationalised	2	1 ⁸	2 ⁹	3	3	3	3
	No. of new Magistrates' courts established & operationalised	3	3	3	3	3	3	3
	No. of new Kadhis' courts stations established & operationalised	1	1	1	1	1	1	1
	No. of new Mobile Courts established	4	0	3	3	0	0	0

⁵ ELRC circuits achieved Meru, Machakos, Kitale Kericho

⁶ New High Courts in Thika, Kibera & Nyandarua

⁷ ELRC established Kakamega, Nyamira

⁸ ELC Courts established achieved Voi

⁹ ELC Stations targeted Naivasha, Land Division, Environment & Planning

Output	Key Performance Indicator	Target		Actual Achievement	Target (Baseline)	Target		Remarks
		2022/23	2022/23			2023/24	2024/25	
No. of new HC sub-registries established		1	2	3	2	2	2	2
No. of new ELRC sub-registries established		2	1	2	2	2	2	2
No. of ELC sub-registries established		0	2	5 ¹⁰	3	3	3	3
No. of tribunals sub-registries established		0	8	77	7	7	7	
No. of new small claims courts established		10	1	20	20	20	20	20
No. of HC Judges and PJs Hand books, and practice directions developed		2	1	1	1	1	1	1
No. of ELRC Strategic plan		0	0	1	0	0	0	0
No. of EDR Practice Directions developed		4	0	4	0	0	0	0
No. of Small Claims Court Practice Directions developed		0	0	1	0	0	0	0
No. of EDR Bench book, guidelines, balancing of scales & compendium developed		4	4	1	1	1	1	1
NCAJ Annual administration of Justice Report Published		0	1	1	1	1	1	1
Number of New CUCs established		47	20	30	30	30	30	30
No. of Judiciary desks established in Huduma Centres		0	2	6	46	0	0	0
No. of virtual courtrooms established		0	5	5	10	10	10	10
% of Court registry services automated		0	0	87	100	100	100	100

¹⁰ ELC Subregistries Targeted Maralal Lodwar, Mandera, Wajir, Marsabit

Output	Key Performance	Target	Actual Achievement	Target (Baseline)	Target	Remarks	
Indicator		2022/23	2022/23	2023/24	2024/25	2025/26	2026/27
No. of pending court files digitized	0	133,368	276,740	276,740	0	0	0
% of citizen-centric services availed online	10	40	60	100	100	100	100
Legal repository established	0	0	0	1	0	0	0
No. of institutional criminal case management systems integrated	0	0	1	7	5	4	
No. of court stations connected with solar power	0	24	10	20	50	43	
Policy on data automation in the justice sector developed	0	0	0	1	0	0	
Legal Aid policy framework developed	0	0	0	1	0	0	
% of PWD compliant court buildings	0	20	50	70	90	100	
% of PWD compliant services	0	20	50	70	90	100	
No. of multi use court facilities established in High Court stations	0	0	2 ¹¹	10	20	47	
No. of SGBV courts established	0	4 ¹²	12 ¹³	15	10	10	
No. of child friendly children courts established	0	2 ¹⁴	4 ¹⁵	10	20	40	
Court of petty sessions legal framework developed	0	0	0	1	0	0	
Instant traffic fines/24 hour duty courts Framework developed	0	0	0	1	0	0	
Environment, Social and Governance (ESG) Framework developed	0	0	0	1	0	0	
No. of judges recruited	26	32	0	60	33	15	
No. of judicial officers recruited	91	0	60	327	286	18	
No. of judiciary staff recruited	17	616	146	641	545	1079	

¹¹ Multifunction facilities only in high courts in line with STAJ

¹² Achieved SGBV courts are Shanzu (operational) and Siaya, Kisumu & Kibera were launched

¹³ The SGBV courts during the baseline period are Kakamega, Kiambu, Kibera, Kisumu, Kitale, Machakos, Makadara, Meru, Nakuru, Siaya

¹⁴ Child friendly courts achieved Milimani, Tononoka

¹⁵ Child friendly courts targeted baseline malindi, Nakuru, Thika Siaya

Output	Key Performance Indicator	Target		Actual Achievement	Target (Baseline)	Target		Remarks
		2022/23	2022/23			2023/24	2024/25	
	Inter-agency consultation and collaboration framework developed	0	0	0	0	1	0	0
	No. of judicial reputation and integrity surveys conducted	0	0	0	0	1	1	1
	Judicial Integrity, Ethics and professionalism programme rolled out	0	0	0	0	1	1	
	Judiciary communication policy and strategy established	0	0	0	0	1	0	0
	Judicial communication programme integrated	0	0	0	0	1	0	0
	Judicial mentorship programme established	0	0	0	0	1	0	0
	Judicial civic education programme established	0	0	0	0	1	0	0
	Judicial public outreach programme rolled out	0	0	0	0	1	0	0
	International judicial exchange framework developed	0	0	0	0	1	0	0
	Partnership and collaborative relationships framework developed	0	0	0	0	1	0	0
	Percentage of Implementation of the Resource Mobilization Strategy	0	10	20	30	30	40	
	No. of financing agreements concluded.	0	4	6	10	25	30	
	Judiciary Public, Private Partnership framework developed	0	0	1	0	0	0	
	No. of pro-se litigants' manuals for courts developed	5	0	5	0	0	0	
	Reviewed HC registry manual	0	0	1	0	0	1	
	No. of HC guidelines on handling children's cases	0	0	0	1	0	0	
	Reviewed ELC Registry manual	0	1	0	0	0	1	
	ELRC procedure rules reviewed	0	1	0	0	0	1	
	Reviewed ELRC Registry manual	0	1	0	0	0	1	

Output	Key Performance Indicator	Target		Actual Achievement	Target (Baseline)	Target		Remarks
		2022/23	2022/23			2023/24	2024/25	
Court Facilities	Mobile courts policy developed	0	1	0	0	0	0	0
	Small Claims court Registry Manual developed	0	0	1	0	0	0	0
	% completion of New Supreme Court Building	-	0	10	30	60	100	
	% completion of COA Complex ongoing	-	0	1	1	1	1	
	No. of ongoing High Courts buildings	8	12 ¹⁶	15 ¹⁷	16	12	10	
	No. of ongoing Magistrates' courts buildings	16	9 ¹⁸	12 ¹⁹	10	9	9	
	No. of residential units for judge's constructions ongoing.	2	1	3	3	2	2	
	No. of Courts of Appeal buildings rehabilitated/ Refurbished	1	0	1	1	1	1	
	No. of High courts buildings rehabilitated/ Refurbished	2	2	3	3	3	3	
Sub- Programme 2: General Administration, Planning and Support Services	No. of Magistrates' courts buildings rehabilitated / Refurbished	12	52	80	100	100	150	
	Supply and installation of alternative power supply – generators & solar	-	18	6	10	20	20	
	Administration Services Number of vehicles procured/ leased	6	17	40 41	40	40	40	

¹⁶ Achieved High Court Buildings ongoing Kabarnet, Marsabit, Lodwar, Bomet, Hornabay, Garissa, Voi, Mombasa, Kwale, Wajir, Eldoret Meru

¹⁷ Baseline targeted High Court Buildings ongoing Kabarnet, Marsabit, Lodwar, Bomet, Hornabay, Garissa, Voi, Mombasa, Kwale, Wajir, Eldoret Meru,Kericho Lamu Kisii

¹⁸ Achieved Magistrate buildings on going Mavoko, Wanguru, Habaswen, Amagoro, Mbaita, Muranga, Eldam Ravine, Mukurweini, Kandara

¹⁹ Baseline Targeted Mavoko, Wanguru, Habaswen, Amagoro, Mbaita, Muranga, Eldam Ravine, Mukurweini, Kandara, Marimanti, Githongo

Output	Key Performance Indicator	Target		Actual Achievement	Target (Baseline)	Target	Remarks
		2022/23	2023/24				
	Percentage of Courts diaries and calendars provided to courts	100%	100%	100%	100%	100%	100%
	Performance Measurements Report Published	1	1	1	1	1	1
	State of the Judiciary and Administration of Justice Report (SOJAR) Published	1	1	1	1	1	1
	Number of procedures manuals reviewed (Audit & Procurement manuals)	0	0	2	0	0	1
	No of Risk Management Policy Developed	0	0	1	0	0	0
	No. of Annual Caseload Statistics Reports Produced	1	1	1	1	1	1
ICT Services	Court stations with e-filing - %	15	24	25	50	100	100
	Courts with digitized records - %	40	50	80	100	100	100
	No. of courtrooms with transcription solution	43	16	50	100	150	150
	No. of court stations with Video conferencing kit	36	55	50	70	90	
	No. of digital mobile courts established	0	0	5	10	10	10

**Part F: Summary of Expenditure by Programme and Sub-Programmes
2024/25 – 2026/27 (Kshs. Million)**

Table 7: Summary of Expenditure by Programme and Sub-Programmes

Programme	Approved Estimates 2022/23	Actual Expenditure 2022/23	Baseline Estimates 2023/24	Estimates 2024/25	Project Estimates	
					2025/26	2026/27
Dispensation of Justice	21,132	20,131	22,287	22,787	25,067	27,323
Access to Justice	14,793	14,092	15,601	15,951	16,406	17,806
Administration and Support Services	6,340	6,039	6,686	6,836	7,031	7,631
TOTAL PROGRAMME	21,132	20,131	22,287	22,787	23,437	25,437
TOTAL VOTE	21,132	20,131	22,287	22,787	23,437	25,437

Part G: Summary of Expenditure by Vote and Economic Classification (Kshs. Million)

Table 8: Summary of Expenditure by Vote and Economic Classification

Programme	Approved Estimates 2022/23	Actual Expenditure 2022/23	Baseline Estimates 2023/24	Estimates 2024/25	Project Estimates	
					2025/26	2026/27
DISPENSATION OF JUSTICE						
Current Expenditure	19,232	18,653	20,437	21,287	23,416	25,523
Compensation of Employees	12,438	12,356	13,495	14,461	15,907	17,339
Use of Goods and Services	6,032	5,788	6,519	5,201	5,721	6,236
Interest	-	-	-			
Subsidies	-	-	-			
Current Transfers to Govt. Agencies	-		-			
Social Benefits	17	17	142	1,475	1,623	1,769
Other Expense	-		-			
Non-Financial Assets	545	292	111	150	165	180
Financial Assets	200	200	170	0	0	0

Programme	Approved Estimates 2022/23	Actual Expenditure 2022/23	Baseline Estimates 2023/24	Estimates 2024/25	Project Estimates	
					2025/26	2026/27
Capital Expenditure	1,900	1,478	1,850	1,500	1,850	1,850
Compensation of Employees	-		-	-	-	-
Use of Goods and Services	420	777	60	-	-	-
Interest	-		-	-	-	-
Subsidies	-		-	-	-	-
Capital Transfers to Govt. Agencies-Loans & Grants	-		-	-	-	-
Non-Financial Assets	1,480	701	1,790	1,500	1,850	1,850
Financial Assets	-		-	-	-	-
Total Expenditure of Vote 1261	21,132	20,131	22,287	22,787	23,437	25,437

Part H: Summary of Expenditure by Programme, Sub-Programme and Economic Classification (Kshs. Million)

Table 9: Summary of Expenditure by Programme, Sub-Programme and Economic Classification

Programme	Approved Estimates 2022/23	Actual Expenditure 2022/23	Baseline Estimates 2023/24	Estimates 2024/25	Project Estimates	
					2025/26	2026/27
DISPENSATION OF JUSTICE						
Current Expenditure	19,232	18,653	20,437	21,287	23,416	25,523
Compensation of Employees	12,438	12,356	13,495	14,461	15,907	17,339
Use of Goods and Services	6,032	5,788	6,519	5,201	5,721	6,236
Interest	-	-	-	0	0	0
Subsidies	-	-	-	0	0	0
Current Transfers to Govt. Agencies	-		-	0	0	0
Social Benefits	17	17	142	1,475	1,623	1,769
Other Expense	-		-	0	0	0
Non-Financial Assets	545	292	111	150	165	180
Financial Assets	200	200	170	0	0	0
Capital Expenditure	1,900	1,478	1,850	1,500	1,850	1,850

Programme	Approved Estimates 2022/23	Actual Expenditure 2022/23	Baseline Estimates 2023/24	Estimates 2024/25	Project Estimates	
					2025/26	2026/27
Compensation of Employees	-		-	0	0	0
Use of Goods and Services	933	777	60	0	0	0
Interest	-		-	0	0	0
Subsidies	-		-	0	0	0
Capital Transfers to Govt. Agencies-Loans & Grants	-		-	0	0	0
Non-Financial Assets	967	701	1,790	1,500	1,850	1,850
Financial Assets	-		-	0	0	0
Sub-programme 1: Access to Justice						
Current Expenditure	13,463	13,057	14,306	14,901	16,391	17,866
Compensation of Employees	8,706	8,649	9,446	10,123	11,135	12,137
Use of Goods and Services	4,222	4,052	4,564	3,641	4,005	4,365
Interest	-		-	-	-	-
Subsidies	-		-	-	-	-
Current Transfers to Govt. Agencies	-		-	-	-	-
Social Benefits	12	12	100	1,033	1,136	1,238
Other Expense	-		-	-	-	-
Non-Financial Assets	382	204	78	105	116	126
Financial Assets	140	140	119	-	-	-
Capital Expenditure	1,900	1,478	1,850	1,050	1,295	1,295
Compensation of Employees	-		-	-	-	-
Use of Goods and Services	420	777	60	-	-	-
Interest	-		-	-	-	-
Subsidies	-		-	-	-	-
Capital Transfers to Govt. Agencies-Loans & Grants	-		-	-	-	-
Non-Financial Assets	1,480	701	1,790	1,050	1,295	1,295
Financial Assets	-	-	-	-	-	-
Sub-programme 2: Administration and Support Services						
Current Expenditure	5,770	5,596	6,131	6,386	7,025	7,657
Compensation of Employees	3,731	3,707	4,048	4,338	4,772	5,202
Use of Goods and Services	1,810	1,736	1,956	1,560	1,716	1,871
Interest	-		-	-	-	-
Subsidies	-		-	-	-	-

Programme	Approved Estimates 2022/23	Actual Expenditure 2022/23	Baseline Estimates 2023/24	Estimates 2024/25	Project Estimates	
					2025/26	2026/27
Current Transfers to Govt. Agencies	-		-	-	-	-
Social Benefits	5	5	43	443	487	531
Other Expense	-		-	-	-	-
Non-Financial Assets	164	88	33	45	50	54
Financial Assets	60	60	51	-	-	-
Capital Expenditure	-	-	-	450	555	555
Compensation of Employees	-	-	-	-	-	-
Use of Goods and Services	-	-	-	-	-	-
Interest	-	-	-	-	-	-
Subsidies	-	-	-	-	-	-
Capital Transfers to Govt. Agencies-Loans & Grants	-	-	-	-	-	-
Non-Financial Assets	-	-	-	450	555	555
Financial Assets	-	-	-	-	-	-
Total Programme	21,132	20,132	22,287	22,787	23,437	25,437
TOTAL VOTE 1261	21,132	20,132	22,287	22,787	23,437	25,437

Part I: Summary of Human Resource Requirements

Table 10 : Summary of Human Resource Requirements FY 2024/25 – FY 2026/27

Programme Code	Programme Title	Designation/ Position Title	Authorized Establishment	In Post as at 30th June, 2023	2024/25 Projections	2025/26 Projections	2026/27 Projections
				Funded Positions	to be Funded	Positions to be Funded	Positions to be Funded
Dispensation of Justice	Deputy Chief Registrar of Judiciary	1	1	1	1	1	1
	Chief Magistrate	80	57	72	78	83	83
	Senior Principal Magistrate	160	121	85	96	106	106
	Principal Magistrate	240	195	169	179	190	190
	Senior Resident Magistrate	400	124	239	249	260	260
	Resident Magistrate	320	72	269	381	505	505
	JUDR Registrar	9	8	8	8	8	8
	JUDSPDR Senior Principal Deputy Registrar	8	1	8	8	8	8
	JUDPDR Principal Deputy Registrar	17	-	17	17	17	17
	JUDSDR Senior Deputy Registrar	96	-	15	45	75	75
	JUDDR Deputy Registrar	141	-	25	50	75	75
	JUDAR Assistant Registrar	150	-	20	40	60	60
	JUDSLC Senior Law Clerk			2			2

Programme Code	Programme Title	Designation/ Position Title	Authorized Establishment	In Post as at 30th June, 2023	2023/24 Projections	2024/25 Projections	2025/26 Projections	2026/27 Projections
				2	1	2	2	2
	JUDLC Law Clerk	14	12	14	14	14	14	14
	JUDSLR Senior Legal Researcher	40	35	40	40	40	40	40
	JUDLR Legal Researcher	310	145	212	242	242	242	242
	JUDALR Assistant Legal Researcher	300	-	50	100	150	150	150
	Tribunal Member	20	20	37	68	78	88	88
	Tribunal Secretary	1	1	1	1	1	1	1
	JUDD Director	16	10	12	15	15	15	16
	JUDDD Deputy Director	34	17	20	28	32	32	34
	JUDAD Assistant Director	104	67	86	89	91	91	104
	JUDSO Senior Officer	379	163	212	226	258	258	319
	JUDOI Officer I	428	257	292	332	371	371	400
	JUDOII Officer II	1,004	518	625	783	910	910	957
	JUDSA Senior Assistant	1,559	674	1,005	1,176	1,317	1,317	1,438
	JUDA Assistant	2,062	601	1,144	1,703	1,738	1,738	1,900

Programme Code	Programme Title	Designation/ Position Title	Authorized Establishment	In Post as at 30th June, 2023	2023/24	2024/25 Projections	2025/26 Projections	2026/27 Projections
				Funded Positions	Positions to be Funded			
	JUDOAI Office Assistant I							
	JUDOAll Office Assistant III		449	87	187	287	369	409
	JUDDI Driver I							
	JUDII Driver III		631	572	581	581	581	606
	JUDCAI Court Assistant I							
	JUDCAII Court Assistant II		2,900	2,534	2,075	1,660	1,743	2,322
	TOTAL		11,875	6,293	7,523	8,499	9,340	10,430

ANNEX VII: PROJECTS DETAILS FOR FY 2024/25 AND MEDIUM TERM PROJECTIONS

Table 11: Details of Capital Projects in FY 2024/25 and the Medium-Term Projections (KShs M)

Project Code & Project Title	Financing		Timeline		Actual Expenditure up to 30th June 2023	Outstanding Project Cost as at 30th June 2023	Project Completion Status as at 30th June 2023	Proposed Allocation for FY 2023/24	Proposed Allocation for FY 2024/25	Proposed Allocation for FY 2025/26	Proposed Allocation for FY 2026/27	Remarks	
	Estimated Project Cost	GOK	Start Date	Expected Completion Date									
1 Proposed construction of Kisumu Law Courts	44.0						100%	0.0	0.0	0.0	39.0	0.0	Complete but with pending bill
2 Construction of Malindi High Court	333.0	53.0	7/1/2013	6/30/2019	0.0	333.0	100%	0.0	0.0	0.0	48.0	0.0	Complete but with pending bill
3 Construction of Narok Law Courts-Phase II	74.0	74.0	7/1/2004	9/30/2022	52.0	22.0	100%	0.0	0.0	3.6	0.0	0.0	Completed but with pending bill
4 Construction of Eldama Ravine Law Courts	151.9	116.9	7/1/2017	6/30/2024	69.6	82.3	46%	45.0	0.0	5.0	0.0	0.0	To be completed in the next financial year
5 Refurbishment of Muranga Law Courts	196.1	129.1	7/1/2013	6/30/2025	39.4	156.7	20%	5.0	0.0	10.0	0.0	0.0	Tender process
6 Construction of Marsabit Judges Residence Phase II	30.0	30.0	7/1/2017	6/30/2024	11.0	19.0	37%	12.0	0.0	0.0	0.0	0.0	To be completed in this financial year
7 Prefabrication of Othaya Law Courts	81.7	81.7	7/1/2013	6/30/2024	58.1	23.6	71%	15.0	0.0	0.0	0.0	0.0	To be completed in this financial year
8 Construction of Bomet Law Courts	550.0	550.0	7/1/2013	6/30/2028	62.0	488.0	11%	36.0	0.0	30.0	0.0	150.0	To be tendered
9 Prefabrication of Wangari Law Courts	78.0	78.0	7/1/2013	6/30/2024	42.6	35.4	55%	23.0	0.0	0.0	0.0	0.0	To be completed in this financial year

Project Code & Project Title	Financing			Timeline		Actual Expenditure up to 30th June 2023	Outstanding Project Cost as at 30th June 2023	Project Completion Status as at 30th June 2023	Proposed Allocation for FY 2023/24		Proposed Allocation for FY 2024/25		Proposed Allocation for FY 2025/26		Proposed Allocation for FY 2026/27		Remarks
	Estimated Project Cost	GOK	Start Date	Expected Completion Date	Foreig n				Foreig n	GOK	Foreig n	GOK	Foreig n	GOK	Foreig n	GOK	
Renovations and Removal of Asbestos	68.9	68.9	7/1/2013	6/30/2024	34.4	34.4	50%	5.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	To be completed in this financial year
Prefabrication of Marimani Law Courts	96.4	96.4	7/7/2013	12/30/2025	44.4	52.1	46%	15.0	0.0	20.0	0.0	15.0	0.0	0.0	0.0	0.0	Ongoing
Construction of Mavoko Law Courts	70.0	70.0	12/20/2020	6/30/2025	11.0	59.0	16%	30.0	0.0	10.0	0.0	0.0	0.0	0.0	0.0	0.0	To be completed in the next financial year
Construction of Batali Law Courts	63.6	63.6	7/1/2017	6/30/2024	58.6	5.0	92%	3.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	To be completed in this financial year
Refurbishment of Childrens court (Hurlingham)	35.0	35.0	7/1/2024	6/30/2026	0.0	35.0	0%	1.0	0.0	31	0.0	35.0	0.0	0.0	0.0	0.0	Ongoing
Construction of Mandera Law Courts (Completion)	234.0	234.0	5/19/2015	6/30/2026	105.5	128.5	45%	5.0	0.0	10	0.0	103.0	0.0	0.0	0.0	0.0	Ongoing
Construction of Githongo Law Courts	159.0	159.0	4/5/2017	6/30/2026	71.0	88.0	43%	10.0	0.0	20	0.0	100.0	0.0	0.0	0.0	0.0	Ongoing
Construction of Mbini Law Courts	258.0	258.0	3/15/2017	6/30/2027	53.5	204.5	21%	1.0	0.0	10	0.0	100.0	0.0	95.0	0.0	0.0	Tender process
Construction of Kandara Law Courts	217.0	217.0	4/3/2017	6/30/2027	28.2	188.8	13%	10.0	0.0	20	0.0	80.0	0.0	80.0	0.0	0.0	Ongoing
Construction of Marabit Law Courts	370.2	370.2	3/17/2017	6/30/2027	165.0	205.2	45%	1.0	0.0	1	0.0	100.0	0.0	106.0	0.0	0.0	To be tendered
Construction of Amagoro Law Courts	138.0	138.0	3/13/2017	6/30/2027	58.6	79.4	42%	1.0	0.0	3	0.0	50.0	0.0	25.0	0.0	0.0	Tender process
Construction of Kabarnet Law Courts	366.8	366.8	3/17/2017	6/30/2027	121.0	245.8	33%	1.0	0.0	5	0.0	100.0	0.0	120.0	0.0	0.0	To be tendered
Construction of Habswinei	79.0	79.0	9/28/2017	6/30/2027	0.0	79.0	0%	5.0	0.0	10	0.0	20.0	0.0	40.0	0.0	0.0	Ongoing

Project Code & Project Title	Financing		Timeline		Actual Expenditure up to 30th June 2023	Outstanding Project Cost as at 30th June 2023	Project Completion Status as at 30th June 2023	Proposed Allocation for FY 2023/24	Proposed Allocation for FY 2024/25	Proposed Allocation for FY 2025/26	Proposed Allocation for FY 2026/27	Remarks
	Estimated Project Cost	GOK	Start Date	Expected Completion Date								
Law Courts												
23 Refurbishment of Milimani Law Courts	90,0	90,0	5/24/2019	6/30/2025	0,0	90,0	0%	15,0	0,0	15,0	0,0	Ongoing
24 Construction of Honabay Law Courts	427,0	427,0	3/13/2017	6/30/2027	101,0	326,0	24%	1,0	0,0	10,0	0,0	Ongoing
25 Supply of Generators Solar power and batteries	460,0	460,0	6/10/2019	6/30/2027	22,0	438,0	5%	97,6	0,0	90,0	0,0	Ongoing for Alternative power Supply
26 Refurbishment of Courts	600,0	600,0	7/1/2022	6/30/2027	143,0	457,0	24%	120,0	0,0	103,0	0,0	Ongoing Renovation works for various courts
27 Construction of Court of Appeal Complex	2,100,0	2,100,0	7/1/2023	6/30/2029	0,0	2,100,0	5%	5,0	0,0	10,0	0,0	Tender process
28 Construction of Meru High Court	637,5	637,5	7/1/2020	6/30/2027	96,0	541,5	15%	65,0	0,0	60,0	0,0	ongoing
29 Construction of Eldoret High Court	560,8	560,8	7/1/2020	6/30/2026	185,0	375,8	33%	95,0	0,0	100,0	0,0	ongoing
30 Completion of JIP Projects	700	222,0	7/1/2022	6/30/2027	0	700	0%	30,0	0,0	0,0	100,0	90,0
31 Proposed Completion of Mombasa Law Courts	70,0	70,0	7/1/2020	6/30/2026	0	0	0%	0,0	10,0	0,0	40,0	0,0
32 Proposed Completion of Kwale Law Courts	53,0	53,0	7/1/2020	6/30/2026	0	0	5%	0,0	1,5	0,0	20,0	0,0
33 Proposed Completion of Voi Law Courts	79,0	79,0	7/1/2020	6/30/2026	0	0	10%	0,0	1,5	0,0	44,0	0,0
34 Proposed Completion of Wajir Law Courts	130,0	130,0	7/1/2020	6/30/2027	0	0	5%	0,0	5	0,0	50,0	55,0

Project Code & Project Title	Financing		Timeline		Actual Expenditure up to 30th June 2023	Outstanding Project Cost as at 30th June 2023	Project Completion Status as at 30th June 2023	Proposed Allocation for FY 2023/24	Proposed Allocation for FY 2024/25	Proposed Allocation for FY 2025/26	Allocation for FY 2026/27	Remarks
	Estimated Project Cost	GOK	Start Date	Expected Completion Date								
35 Proposed Completion of Mukarweini Law Courts	69.0	7/1/2020	6/30/2026	0	0	0%		0.0	5	0.0	44.0	To be tendered
36 Proposed Completion of Oikala Law Courts	55.0	7/1/2020	6/30/2026	0	0	0%		0.0	5	0.0	50.0	To be tendered
37 Proposed Completion of Garisa Law Courts	22.0	7/1/2020	6/30/2026	0	0	0%		0.0	5	0.0	17.0	To be tendered
38 Refurbishment of Kiambu law courts	225	225.0	7/1/2024	6/30/2027	0	225	0%	5.0	0.0	5	0.0	To be tendered
39 Construction of Takala Kadhis Court	110	110.0	3/1/2024	6/30/2026	0	110	5%	1.0	0.0	5	0.0	Tender process
40 Construction of Kisii High Court	1,000.0	7/1/2022	6/30/2029	0	1000	0%	1.0	0.0	1	0.0	200	To be tendered
41 ICT - Judiciary Digital Strategy	6,385.7	6,385.7	7/1/2024	6/30/2027	209.0	6,176.7	3%	500.0	0.0	700	0.0	Automation of Court Processes- CTS, E-filing, ERP
42 Court Awards-Milliani, Lodwar-Legal Dues, Arbitration and Compensation Payments	1,150.0	1,150.0	7/1/2015	6/30/2026	710.0	440.0	40%	203.0	0.0	95.0	0.0	Settling of Court/Arbitration Awards
43 Supply of Fire fighting Equipment	30.0	30.0	7/1/2023	30/06/2023	4	0.0	30.0	0%	15.0	0.0	0.0	To Address OSHA concerns
44 Construction New Supreme Court	3,000.0	3,000.0	7/1/2024	6/30/2029	0.0	3,000.0	0%	5.0	0.0	5	0.0	New
45 Construction of Kericho High	1,000.0	1,000.0	7/1/2024	6/30/2028	0.0	1,000.0	0%	1.0	0.0	1	0.0	New

Project Code & Project Title	Financing		Timeline		Actual Expenditure up to 30th June 2023	Outstanding Project Cost as at 30th June 2023	Project Completion Status as at 30th June 2023	Proposed Allocation for FY 2023/24	Proposed Allocation for FY 2024/25	Proposed Allocation for FY 2025/26	Proposed Allocation for FY 2026/27	Remarks
	Estimated Project Cost	GOK	Start Date	Expected Completion Date								
Court												
Refurbishment of Judiciary Houses	450.0	450.0	7/1/2024	6/30/2028	0.0	450.0	0%	1.0	0.0	1	0.0	50.0
Construction of Lodwar High Court	838.0	838.0	6/30/2013	6/30/2027	115.0	723.0	14%	1.0	0.0	10	0.0	250.0
Construction of Mpaketoni Perimeter fence	5.0	5.0	7/1/2023	6/30/2024	0.0	5.0	0%	5.0	0.0	1	0.0	0.0
Construction of Lamu Staff Residence	100.0	100.0	6/30/2013	6/30/2028	0.0	100.0	0%	1.0	0.0	1	0.0	150.0
Construction of Lamu High Court	900.0	900.0	6/30/2013	6/30/2039	0.0	900.0	0%	1.0	0.0	1	0.0	200.0
Completion of Small claims court in Milango	82.5	82.5	4/1/2022	6/30/2025	5.5	77.0	7%	9.4	0.0	5.0	0.0	0.0
Completion of Small claims court in Kasarani	82.5	82.5	4/1/2022	6/30/2025	5.5	77.0	7%	9.4	0.0	5.0	0.0	0.0
Completion of Small claims court in Huruma	82.5	82.5	4/1/2022	6/30/2025	5.5	77.0	7%	9.4	0.0	5.0	0.0	0.0
Completion of Small claims court in Dangeretti	82.5	82.5	4/1/2022	6/30/2025	5.5	77.0	7%	9.4	0.0	5.0	0.0	0.0
Totals	23,964.5	23,964.5			2,516.9	21,447.7		1,450.00	0.00	1,500.00	0.00	3,286.00

Directorate of Finance, Supreme Court Building, City Hall Way,

P.O Box 30041-00100, NAIROBI

Tel: 020- 2221221 **ext.** 0730181683 or 0730181686,

Email: budget@court.go.ke